

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
(FORT WORTH DIVISION)**

NEXTGEAR CAPITAL, INC. AND  
AUTOMOTIVE FINANCE  
CORPORATION,

Plaintiffs,

v.

DRUIEN, INC. D/B/A LAWTON AUTO  
AUCTION A/K/A LAWTON CACHE  
AUTO AUCTION, LISA DRUIEN,  
MICHAEL VERNON GARRISON D/B/A  
ROCK HILL USED CARS, AND  
EMMETT DRUIEN,

Defendants.

Civil Action No. 4:20-cv-00959-BJ

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**ORDER GRANTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

On this day, came on for consideration, Plaintiffs NextGear Capital, Inc.'s and Automotive Finance Corporation's Motion for Summary Judgment [Doc. # 99] and accompanying Brief in Support Thereof [Doc. # 100]. The Court finds that Defendants Druien, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction, Lisa Druien, and Emmett Druien received notice of the filing of the Motion for Summary Judgment. Based on the summary judgment evidence and the arguments presented, the Court finds that Plaintiffs NextGear Capital, Inc.'s and Automotive Finance Corporation's motion should be **GRANTED**.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that Plaintiff NextGear Capital, Inc. do have and recover of and from Defendant Druien, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction judgment in the sum of \$686,308.80; pre-judgment interest at the statutory rate of 6.00% from date of filing the lawsuit through entry of final judgment; post-judgment interest as allowed by law; and its costs of court. Additionally, Plaintiff NextGear Capital, Inc. shall recover of and from Defendant Druien, Inc. d/b/a Lawton Auto Auction a/k/a Lawton

Cache Auto Auction the sum of \$45,162.25 for Plaintiff NextGear Capital, Inc.'s reasonable and necessary attorney's fees with post judgment interest at the rate of 5.00%, and with its costs in this behalf expended and that it have its execution.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff NextGear Capital, Inc. do have and recover judgment on its fraud and conspiracy to commit fraud claims against Defendants Druen, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction, Lisa Druen, and Emmett Druen, jointly and severally, judgment in the sum of \$686,308.80; pre-judgment interest at the statutory rate of 6.00% from date of filing the lawsuit through entry of final judgment; post-judgment interest as allowed by law; and its costs of court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Automotive Finance Corporation do have and recover of and from Defendant Druen, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction judgment in the sum of \$391,964.79; pre-judgment interest at the statutory rate of 6.00% from date of filing the lawsuit through entry of final judgment; post-judgment interest as allowed by law; and its costs of court. Additionally, Plaintiff Automotive Finance Corporation shall recover of and from Defendant Druen, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction the sum of \$45,162.25 for Plaintiff Automotive Finance Corporation's reasonable and necessary attorney's fees with post judgment interest at the rate of 5.00%, and with its costs in this behalf expended and that it have its execution.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Plaintiff Automotive Finance Corporation do have and recover judgment on its fraud and conspiracy to commit fraud claims against Defendants Druen, Inc. d/b/a Lawton Auto Auction a/k/a Lawton Cache Auto Auction, Lisa Druen, and Emmett Druen, jointly and severally, in the sum of \$391,964.79; pre-judgment interest at the statutory rate of 6.00% from date of filing the lawsuit through entry of final judgment; post-judgment interest as allowed by law; and its costs of court.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all writs and process necessary for the enforcement of this judgment shall be issued in favor of Plaintiffs.

**SO ORDERED.**

\_SIGNED: \_\_\_\_\_, 2021.

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JEFFREY L. CURETON  
UNITED STATES MAGISTRATE JUDGE